

WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN DOE,

Plaintiff,

v

RICHARD SNYDER, Governor of the State of Michigan, and COL. KRISTE ETUE, Director of the Michigan State Police, in their official capacities,

Defendants.

No. 1:17-cv-00638

HON. JANET T. NEFF

MAG. ELLEN S. CARMODY

Sheldon Halpern (P14560)
Sheldon Halpern, P.C.
Attorney for Plaintiff
26339 Woodward Avenue
Huntington Woods, MI 48070
(248) 554-0400
(248) 554-0411
shelpern@sbcglobal.net

Adam L.S. Fracassi (P79546)
Adam P. Sadowski (P73864)
Attorneys for Defendants
Michigan Department of Attorney General
Civil Litigation, Employment & Elections Division
P. O. Box 30736
Lansing, MI 48909
(517) 373-6434
sadowskia@michigan.gov

STIPULATED FINAL JUDGMENT

Whereas Plaintiff and Defendants, wish to resolve this case in light of the changing legal landscape in both the state and federal courts, including the recent Sixth Circuit decision in *Does #1-5 v. Snyder*, 834 F.3d 696 (6th Cir. 2016); and

Whereas the parties wish to avoid further litigation or expense, and therefore consent to entry of this order;

THE PARTIES HEREBY STIPULATE AND AGREE AND THE COURT

HEREBY ORDERS THAT:

1. The Defendants, as well as their officers, agents servants, and employees, shall not enforce the 2006 and 2011 SORA amendments against Plaintiff.
2. Plaintiff will be subject to the following registration and verification requirements, as long as this Order remains in effect:
 - a. He will remain listed on the public registry.
 - b. The only requirements or restrictions of SORA that apply to him are:
 - i. To verify quarterly. At quarterly verification they shall report (i) current residential address information and any name change (as set out in M.C.L. §§ 28.727(1)(a) and (d)); and (ii) enrollment at an institution of higher learning or campus information change (as set out in M.C.L. § 28.724a(1)-(2)). Per agreement of the parties, quarterly reporting periods shall be based on the birth-month schedule set out in M.C.L. § 28.725a (3)(b).
 - ii. To provide fingerprints if not already on file with the Michigan State Police (as set out in M.C.L. § 28.727(1)(q)).
 - iii. To pay the annual fees (as set out in M.C.L. §§ 28.725a(6)(b)-(c) and 28.725b(3)).
 - iv. To maintain a valid driver's license or state-issued identification card.
 - c. The Defendants will make a notation within their registry computer application (to which the notation will not be viewable by the public) to alert law enforcement to contact the Michigan State Police before taking any action against Plaintiff on SORA-related offenses.
 - d. Plaintiff's registration period will remain for life; however, he will not be listed in a "tier".

3. This judgment does not bar application of SORA to Plaintiff in the event that he is convicted of an offense that occurred after July 1, 2011, that requires registration under SORA.

4. If the Michigan legislature amends or replaces SORA to implement the Sixth Circuit's holding in *Does #1-5 v. Snyder*, this Order shall terminate on the effective date of any such amendments or new statute.

5. This Court retains jurisdiction to enforce this Order.

6. Subject to the terms set forth herein and pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff's claims against the Defendants are hereby dismissed with prejudice.

IT IS SO ORDERED.

/s/ Janet T. Neff
Hon. Janet T. Neff
U.S. District Judge

Dated: April 17, 2018

Approved by:

/s/ Sheldon Halpern
Sheldon Halpern (P14560)
Sheldon Halpern, P.C.
Attorney for Plaintiff
26339 Woodward Avenue
Huntington Woods, MI 48070
(248) 554-0400
(248) 554-0411
shelpern@sbcglobal.net

/s/ Adam P. Sadowski
Adam P. Sadowski (P73864)
Assistant Attorneys General
Attorney for Defendants Richard
Snyder and Kriste Etue
P. O. Box 30736
Lansing, MI 48909
517 373 3203
SadowskiA@michigan.gov